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JEFF W. REISIG  
YOLO COUNTY DISTRICT ATTORNEY  
GARRETT HAMILTON -173423  
SUPERVISING DEPUTY DISTRICT ATTORNEY  
301 Second Street  
Woodland, CA 95695  
(916) 666-8180  
Attorney for the People

**FILED**  
YOLO SUPERIOR COURT

MAY 08 2009

By

*B. Zeln*  
Deputy

SUPERIOR COURT FOR THE STATE OF CALIFORNIA  
COUNTY OF YOLO

THE PEOPLE OF THE STATE OF  
CALIFORNIA,

Plaintiff,

vs.

MARCO ANTONIO TOPETE,

Defendant.

Case No. 08-3355

NOTICE OF FACTORS IN  
AGGRAVATION  
(P.C. 190.3)

TO: MARCO ANTONIO TOPETE AND HIS ATTORNEYS OF RECORD.

NOTICE is hereby given that the People of the State of California will seek to present evidence relating to the following facts and circumstances in aggravation.

**I FELONY CONVICTIONS**

January 6, 1992	2800.2 V.C.	Yolo	93-14625
August 30, 1994	246.3 P.C.	Sacramento	94-6981
October 9, 1998	245(b) P.C. 667(e)(1) P.C.	Yolo	97-7124

**II OTHER CRIMES/CONDUCT IN AGGRAVATION**

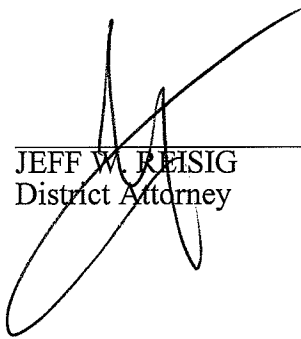
<u>Date of Crime/Conviction</u>	<u>Crime</u>	<u>County</u>	<u>Case#</u>
August 30, 1986	288 P.C.	Yolo	----
January 31, 1988	594 P.C. 242 P.C. 148 P.C.	Yolo	WPD 88-0781 (WPD=Woodland Police Department)

1	May 19, 1988	459 P.C.	Yolo	J-10063 WPD 88-3530
2	January 31, 1990	459 P.C.	Yolo	J-10063 WPD 90-846
3	March 28, 1990	242 P.C.	Yolo	J-10063 WPD 90-2408
4				
5				
6	October 29, 1992	243.6 P.C. 242 P.C.	Yolo	WPD 198594
7	November 1, 1992	2800.2 V.C. 12020 P.C.	Yolo	93-14625 WPD 92-6739
8				
9	October 29, 1993	243.6 P.C.	Yolo	YCSO 93-2800
10				
11	August 19, 1994	246.3 P.C. 245(b) P.C. 12021 P.C. 186.22 P.C.	Sacramento	94-6981 94-69147
12				
13	August 12, 1995	404 P.C. 404.6 P.C. 245 P.C.	CDC	9508091 95080140
14				
15	October 31, 1996	242 P.C.	CDC	96120
16	April 17, 1997	242	CDC	9704029
17	October 12, 1997	664/187 P.C. 12022.7(a) P.C. 186.22(a) P.C. 245(b) P.C. 667(e)(1) P.C. 417.3 P.C. 12021(a)	Yolo	97-7124
18				
19	November 13, 1997	243.1 P.C. 243(b) P.C. 148 P.C.	Yolo	97-7989
20				
21				
22	October 28, 2007	11352(a) H.S.	Yolo	07-6992 YCSO 97-2799 (YCSO=Yolo Sheriff)
23				
24	June 15, 2008	187 P.C. 246.3 P.C.	Yolo	08-3355
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1  
2 The People also notify the defense of our intention to call witnesses relating to the above  
3 mentioned crimes and convictions. The People also notify the defense that additional factors in  
4 aggravation will be disclosed as they are received by the People. The People notify the defense  
5 of our intention to present additional evidence regarding the nature and circumstances of the  
6 present offenses and all special circumstances. Finally, the People notify the defense of our  
7 intention to present victim impact evidence as permitted by law.  
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9 Dated: May 7, 2009

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11 By:

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13 JEFF W. REISIG  
14 District Attorney  
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PROOF OF SERVICE

I, WENDY WILCOX, declare that I am a resident of the County of Yolo; I am over the age of eighteen years and not a party to the within entitled action; my business address is 301 Second Street, Woodland, California 95695.

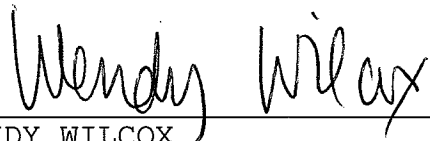
On May 8, 2009, I served the within NOTICE OF FACTORS IN AGGRAVATION (P.C. 190.3) by placing a true copy thereof enclosed in a sealed envelope and deposited the same in the United States mail at Woodland, California, addressed to the counsel of record in this action, as follows:

THOMAS PURTELL  
ATTORNEY AT LAW  
430 3RD STREET  
WOODLAND, CA 95695

HAYES GABLE  
ATTORNEY AT LAW  
428 J ST., STE. 354  
SACRAMENTO, CA 95814

I declare under penalty of perjury that the foregoing is true and correct.

Executed on May 8, 2009, at Woodland, California

  
\_\_\_\_\_  
WENDY WILCOX